REMARKS

Claims 1 through 60 are currently pending in the above-captioned application. In the Official Action, the Examiner objected to Claims 1, 7, 9, 36, 37 and 59 as allegedly being informal, and has rejected Claims 1-20 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Finally, Claims 1-60 have been rejected under 35 U.S.C. § 102(e) as assertedly unpatentable over U.S. Patent No. 6,385,620 to Kurzius et al. ("Kurzius").

After reviewing the Examiner's comments and the cited prior art, the Applicants now respectfully respond as follows. First, the Applicants thank the Examiner for clarifying the use of the language "facilitating" in several of the claims, but do not see any need to amend such claims at this time. Also, as to the rejection of Claims 1-20 as allegedly being directed to non-statutory subject matter, the Applicants have elected not to pursue such claims at this time, and have thus canceled them from this application.

With regard to the Examiner's rejection of Claims 21-51, the Applicants respectfully submit that the inventive features set forth in these claims may be easily distinguished in various and several ways from the system of Kurzius. By way of background, Applicants first respectfully note that there is only very limited disclosure in Kurzius of anything like the "enhancement objects" of the present invention. As first introduced beginning on page 4 of the specification of the present invention, "objects" are standardized descriptive elements or "add-ons" which may be used to supplement the data files being matched. Examples of prior art objects include psychological profiles, add-on webpages of additional information, and written, audio or video responses to questions posed by employers, but no prior art system combines these or provides reciprocal objects with which they may be matched. Additional enhancement objects disclosed in the specification of the present application include a conventional resume object in which an owner's conventional resume may be attached to his "eres" (405), a reference list object in which a list of references may be attached to the eres (405), a past experiences and timeline object, a personal mission object, a virtual interview, a thinking styles assessment object, a work preferences assessment object, a professional skills assessment object and objects related to describing the individual more completely than is possible through a resume alone through the use of personal photographs, documents, "efiles" and other multimedia tools.

As noted in the first full paragraph on page 29 (and as specified in Claim 21 itself), enhancement objects are associated with a data file, rather than being included in the data file. As described therein, enhancement objects (430, 435) generally provide additional details over and above those provided in the respective data files (405, 410). The enhancement objects are not part of the data files, but because they are associated with data files in the system, a user who is viewing a particular data file may often view enhancement objects associated with that data file.

As described in the section "The eres" that begins on page 33 of the specification of the present invention, and in the section "The erole" that begins at the bottom of page 35 of the specification of the present invention, an exemplary type of "Category A data file" (405) is a resume-based data file referred to in the present application as an "eres," and an exemplary type of "Category B data file" (410) is a job-description-based data file referred to in the present application as an "erole," As will be evident from the cited portions of the specification, an eres and an erole may be considerably more comprehensive than the conventional resumes and job listings utilized by the system of Kurzius, but are similar enough for purposes of comparing the system of the present invention to that of Kurzius. Indeed, the resume segment (407) of each eres (405) includes such conventional information as work experiences, academic experiences, special training and accreditations, proficiencies, and other job-related skills, while the job description segment (412) of the erole (410) includes such conventional information as the employment type, salary, location, and the like.

Applicants agree that Kurzius teaches that the resume or similar data file entered into the Kurzius system by a candidate may include "any classification or specific candidate qualification data including, for example, technical qualifications, skills, experiences, educational background, desired position, certifications, or virtually any other piece of candidate qualification data entered by candidates in a candidate survey form," as referenced by the Examiner at column 8 lines 45-51, but Applicants respectfully submit that the cited information is nothing more than the data which is entered into nearly every prior art job-matching system that has ever been created. The Examiner asserts that because the data file entered into the Kurzius system by the candidate may be parsed into multiple "candidate identifiers," each of which is linked (by definition, of course!) to the data file itself, that somehow a multitude of "enhancement objects" has thus been produced. As evident from the above summary of the use of the term "enhancement object" in the present application, the

Kurzius process of parsing data is clearly not the same as the generation of an "enhancement object" or the association of such objects with the data file itself.

This understanding of the term "object," when used to distinguish from a "data file," is also consistent with the generally accepted understanding of such terms in the software field. In this context, "objects" are generally understood to mean discrete collections of data (of a wide variety of types) which may be manipulated as a unit by other software components. Objects, then, would be understood to be separate collections of data that may be associated with data files that are being otherwise manipulated by a system. This understanding, which is evident from the usage of the terms throughout the present application, is nowhere present in Kurzius. Instead, what the Examiner has cited as "objects" appears to be merely the parsing of a data file into certain predetermined categories.

Turning to the specific rejections, the Examiner has separately rejected Claim 21 (and dependent claims), Claim 29 (and dependent claims) and Claim 36 (and dependent claims). Applicants respectfully submit that each of these rejections is misplaced. For example, with regard to the Examiner's rejection of Claim 21, the Examiner has misconstrued the process of parsing data with the association of separate "enhancement objects" with a data file. Although in certain circumstances the creation of an additional collection of data to provide an overview of the employer's organization may represent an "enhancement object," as apparently alluded to by the Examiner in citing language from column 7 lines 20-22, there is no corresponding collection of data into an enhancement object for the job candidate. Perhaps most significantly, the Examiner has apparently overlooked an important requirement of Claim 21, which is that the data files must be matched "at least partially on the basis of the contents of the respective Category A and Category B enhancement objects." The Examiner has failed to identify any teaching of Kurzius that the "general information" provided by employers is used to match a particular candidate's resume to a particular employer's job posting.

With regard to the Examiner's rejection of Claims 29 and 36, the differences between the usage of the term "enhancement objects" in the claim and the Examiner's interpretation of an "enhancement object" as being merely the parsing of data in a data file becomes even more stark. More specifically, Claims 29 and 36 each specify that each "Category A enhancement object comprises a collection of supplemental data corresponding to the Category A item and arranged in object form." This additional language (i.e., language not

found in Claim 21, for example) makes it even clearer that an enhancement object is understood to mean something more than merely data parsed from a data file. Moreover, with particular regard to Claim 29, the Examiner has not pointed to any enhancement objects for job posting data files other than the "general information about employers who may have job postings included within [the] job posting database" (column 7 lines 20-22). An important aspect of this inventive feature is that a plurality of enhancement objects may be associated with any individual data file, thus providing greater flexibility in how data may be gathered, organized and presented to users. This capability is not disclosed by Kurzius.

With more particular regard to the Examiner's rejection of Claim 36, the Examiner has once again misconstrued the process of parsing data as being the same thing as the creation of an enhancement object. However, the Examiner's rejection of the claims depending from Claim 36 is even more puzzling. More specifically, each of Claims 38-51 specifies a particular type of enhancement object. Disappointingly, rather than identify specific teachings in Kurzius that anticipate the various enhancement object types specified in the claims, the Examiner has applied approximately the same generic rejection to each claim, concluding, in essence, that because Kurzius discloses the inclusion of standard resume components or job listing components, that this somehow discloses each of the very specific types of enhancement object types required in Claims 38-51. In fact, it is quite clear that many if not all of the claimed enhancement object types are not specifically taught by Kurzius, and the Examiner's blind conclusion that the claimed limitations are somehow disclosed in Kurzius—by virtue of generic statements about conventional resume and job listing components—is not enough to support the Examiner's rejection of these claims as being anticipated by Kurzius.

Turning to the Examiner's rejection of Claims 52-60, the Applicants respectfully submit that the particular inventive feature set forth in these claims may be easily distinguished from the system of Kurzius. Generally speaking, Kurzius and the system of the present invention each involve matching one type of data file to another, such as a resume to a job opening. Claims 52-60 are generally related to the ability of a user of such a system to identify certain characteristics in one of the data files that "must" be met by the other data file in order to create a "match". For example, an employer with a job opening (embodied as a first type of data file) may identify particular academic credentials that must be met by a resume (embodied as a second type of data file) in order for that resume to be "matched" to

that job opening (i.e., in order for that resume to be included in any list of resumes identified by the system to the employer as being possible matches for the posted job opening).

As recognized by the Examiner in rejecting Claim 52, Kurzius does indeed indicate that "employers may gave indicated certain job criteria that are mandatory or required for a particular job posting," and that "[i]n such a case, only those candidates that fulfill the required job criteria will be included in the candidate ranking" (column 15, lines 17-21). However, this capability is in fact no more than that which has been offered in prior art systems in that no corresponding capability is offered for candidates wishing to specify certain characteristics in their resumes that must be met by a job opening in order for that job opening to be matched to the candidate's resume. This shortcoming, which is also characteristic of known systems such as the "Pentawave" system disclosed in U.S. Patent No. 5,592,375 and the CareerSite.com website as it existed at the time the present application was filed, is described in the first full paragraph on page 5 of the specification of the present application.

In the present invention, however, the "mandatory characteristic" feature described by Kurzius (and offered in prior art systems as well) is made available to both types of users—Category A users as well as Category B users. In other words, not only may employer-users of the present invention specify certain characteristics which must be met by a candidate in order for that candidate to be matched to the job opening, but job-seekers may likewise specific certain characteristics which must be met by a particular job opening in order for that job opening to be matched to the candidate. This "reciprocal" functionality is one of the important inventive features of the present invention.

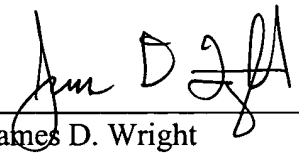
Applicants thus submit that even if Kurzius discloses a system capable of storing a Category A data file (a description of a job opening, for example) and a Category B data file (a resume, for example), Kurzius does not disclose a system capable of "identifying at least one Category A data file characteristic which must be met by the Category B data file" and "identifying at least one Category B data file characteristic which must be met by the Category A data file" (emphasis added). In other words, Kurzius does not disclose reciprocal "must" requirements. At best, Kurzius discloses a system capable of identifying job posting criteria that must be met by a particular candidate listing in order to include the candidate listing in a collection of potential matching candidates that are presented to the employer. However, the reciprocal version of this—identifying resume (desired job) criteria that must

be met by a particular job listing in order to include the job listing in a collection of potential matching jobs that are presented to the job-seeker—is not disclosed.

Moreover, other aspects of this "reciprocal" functionality, required by claims depending from Claim 52, are likewise not disclosed by Kurzius. For example, Claim 58 (in combination with Claim 53) requires that the Category A data file is compared to the Category B data file to determine if the identified Category A data file characteristic is met by the Category B data file and that the Category B data file is compared to the Category A data file to determine if the identified Category B data file characteristic is met by the Category A data file. Original Claim 59 as well as revised Claims 54 and 56 likewise require similar steps to be taken with regard to both the Category A data file and the Category B data file in ways that are only disclosed in "one-way" fashion in Kurzius.

In view of the foregoing, the Applicant respectfully submits that Claims 21-60 of the present application are now in condition for allowance, based upon the limitations of Claims 21, 29, 36 and 52 and the further limitations contained within each dependent claim. Thus, the Applicant respectfully requests that these claims be allowed. Finally, the Applicant requests that the Examiner telephone or email the undersigned to resolve any such issue so as to expedite the prosecution of this application.

Respectfully submitted,



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